IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN KE.			
ANDREW KOTELES	Debtors)	Bankruptcy No.: 17-23972-JAD Chapter 13
STEVE LEVANDOSKY ar LEVANDOSKY, his wife, vs.)	No.:
ANDREW KOTELES,	Respondent)) :)	
vs.)	
RONDA J. WINNECOUR	, TRUSTEE, Trustee.))	

EXHIBITS and WITNESS LIST

Neil J. Marcus, Esquire P.O. Box 652 Monongahela, PA 15063 Pa. ID: 23432 724-258-844 neiljmarcus@comcast.net

Attorney for Creditors/Petitioners Steve and Linda Levandosky

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANDREW KOTELES Debtors Debtors Chapter 13 STEVE LEVANDOSKY and LINDA LEVANDOSKY, his wife, Movants No.: ANDREW KOTELES, Respondent Respondent Trustee.				
LEVANDOSKY, his wife, Movants No.: ANDREW KOTELES, Respondent) RONDA J. WINNECOUR, TRUSTEE,)	ANDREW KOTELES	Debtors)	Bankruptcy No.: 17-23972-JAD Chapter 13
Respondent)) (Respondent)) (RONDA J. WINNECOUR, TRUSTEE,))))))	No.:
)		Respondent)	
Trustee.)	RONDA J. WINNECOUR,	TRUSTEE,))	
		Trustee.)	

EXHIBITS and WITNESS LIST

Witnesses:

IN RE:

Steve Levandosky Linda Levandosky P.O. Box 6 Finleyville, PA 15332

Respectfully submitted,

Neil J. Marcus, Esquire

P.O. Box 652, Monongahela, PA 15063

724-258-8444

Pa. I.D. 23432

Site Inspection Report Summary

Property Address: 6231 PA-88 Finleyville, PA 15332

Inspection Date: 06/10/2020

Inspector: Nathan J. Marcus, E.I.T.

This document is a brief synopsis of the complete seventy page property report.

Narrative of the Site Inspection:

The Andrew Koteles property inspection was arranged by this inspector, Nathan Marcus, at the request of Steve and Linda Levandosky. I contacted Attorney Justin P. Schantz, Esq. at the law firm of David A. Colecchia and Associates, 324 South Maple Avenue, Greensburg, PA 15601-3219 to make arrangements to inspect the property.

Mr. Koteles was present for the inspection on the date of June 10, 2020.

Mr. Koteles was adamant to not allow Mr. and Mrs. Levandosky to join this inspector on touring the property. This represented a deviation from our initial agreement coordinated with Attorney Schantz. Mr. Levandosky constructed a majority of the structures on the property. With his special historical knowledge, Mr. Levandosky would have been helpful to assist in determining the current condition of the property. Due to Mr. Koteles obstinate refusal to allow Mr. and Mrs. Levandosky to join in the property inspection, I proceeded to inspect the property alone.

My inspection included an investigation and condition assessment of both the land and structural improvements present on the property.

In my professional opinion, the land was in poorly maintained condition. Significant overgrowth of grasses and plants were observed in both the front and rear areas of the property. Large plants were present in the rear area of the property. Several were seen growing through parked automobiles. One plant was growing through the inside of a rear structure (the white building). Detailed observations are noted and documented via photographs in the site report.

All major structures on the property were inspected. The major structures included the front garage bays, rear garage bays, and a white garage / equipment building in the rear.

Overall, Mr. Koteles has neglected taking care of the structural improvements on the property. I saw significant deterioration due to a lack of proper maintenance.

Site Inspection Methodology:

The site was inspected starting from the front parking lot near PA SR-88 and proceeding to the rear of the property. The exterior areas of the structures were examined first, followed by the interior areas. Large structural components including roofs, walls, and flooring were examined. Smaller structural elements including electrical, plumbing, heating, and fire protection systems were also examined. No ladders were used to access the roof, attic, or ceiling areas in structures.

Overall Facility Condition:

The property improvements feature obvious deferred maintenance and are in need of some significant repairs. The land has obvious deferred maintenance. Multiple building components need repairs, rehabilitation, or updating. The functional utility and overall facility operational capability are diminished due to condition, but the property remains useable and operational as an automotive repair business.

Detailed Property Description and Significant Deficiencies:

The property's primary use at the time of inspection was that of an automotive repair business. Commercial signage was clearly visible upon initial access to the property from PA State Road Route 88 as to this property usage.

Parking Area:

I observed that the automotive repair facility parking lot was mostly unpaved and lacked a contiguous impervious surface. (Impervious surface being defined as a parking lot constructed of asphalt, concrete, and / or cement). The surface material of the parking lot was primarily gravel. However, the gravel was noted to be thinly distributed throughout the parking lot. Potholes and ruts in the parking lot were clearly visible. The few areas of the parking lot that had impervious surfaces had observable damage due to cracking.

Roof:

Overall, the roof is in poor condition. The roof of the structure containing the main garage bays closest to PA SR-88 was observed first. Viewed from the "front-side" of the building, there was visible roof sagging concentrated at a depression in the roof shingles. Viewed from the "rear-side" of the building, there was obvious deterioration in the condition of most of the roof shingles. Damage to the roof flashing was observed along the sides of the building. Wood paneling under the roof structure needs repainted. An unsecured roof downspout was observed during the inspection. Failure to correct the roof will lead to further damage and a diminution in property value.

Fire Protection:

Fire protection of the facility was checked during the site inspection. The fire protection strategy is inadequate.

As an automobile facility, there are inevitably oil spills and oily rags that accumulate during the operation of the business. This creates a higher-than-average flammability risk.

In the front maintenance bays, one small fire extinguisher was found during the course of inspection in an unmarked location on the floor. This area is filled with miscellaneous items not related to fire suppression. Fire extinguishers should be clearly marked and mounted on the wall.

In the rear garage bay storage area, (the rear portion of the main building with the largest garage doors located at the property), a large quantity of rubber tires not on rims were observed to be piled up in the room. No ceiling mounted sprinkler system above the tires or any fire extinguishers were observed in the tire storage room. The tire storage area is in the same overall structure as the front maintenance bays where most customers and customer vehicles are located.

The white building on the portion of the property farthest from PA SR-88 had an observable large burn mark on the ground adjacent to the right exterior area of the structure. Multiple open containers of oil were found inside of the structure. Only one partially charged fire extinguisher, (covered in spider webs with an outdated inspection tag), was found inside of the white building.

Exterior Lighting:

Exterior lighting to illuminate the outside areas of the property at night was unable to be tested to see if it was operational on the day of inspection. Mr. Koteles was asked to operate the exterior lighting. However, he claimed not to know how to turn on the lighting during daylight hours.

Garage Service Bays:

The front service bays have significant wear and tear. The front service bays need maintenance. The brick pillars between the service bay garage doors were damaged. Also, the garage doors had moderate damage and scrapes visible. There are large areas of the ceiling in the main service bays with significant damage. Large holes in the ceiling were observed. Some cracking of the cement floor in the front service bay area was noted. Rear shelving on the walls of the front service bay was crooked. Possibly, the shelving has been overloaded at times to create this condition. Burn and exhaust marks were observed on a wall to the left side of the garage area.

The rear service bays are currently used primarily for tire and miscellaneous junk storage. No fire protection was observed in this area. The flooring of this garage area is an unfinished surface of dirt and gravel. Oil stains were noted on the unfinished surface. The storm doors accessing this structure are in a damaged condition with extensive rust, trim, and lock damage. The large rear garage doors were not tested for operational capability during the inspection.

The rear white building appears to be used for maintenance projects and miscellaneous equipment storage. The steel storm door to access the building has extensive trim rot. The inside of the building has several oil stains noted on the flooring. At the rear of the building under a blue steel wall cabinet, an outside weed plant was observed to be growing through the exterior wall to the inside of the building.

Steel Access Doors:

All of the doors for customer and employee access to the building had significant amounts of wear and tear. There are various amounts of visible rust on the steel portions of all the doors. It is recommended to repaint the doors. Multiple doors have striker plate damage. A door to access the rear service bays with tire storage has significant damage to the lower door plate. The white building access door at the far rear of the property has extensive rot around the door trim.

Electrical:

In the front service bay area, one area had a large amount of equipment plugged into one electrical circuit.

In the white building at the rear of the property, the light switch closest to the access door to the building was missing a light switch cover.

Landscaping:

There was a noticeable amount of high grass and large weeds observable throughout the property.

The rear storage lot has the largest quantity of plant overgrowth. At least one vehicle in the rear lot area was observed to have been parked so long that plants are growing through the vehicle. There are large plants growing adjacent to the rear white building.

The plants near the property utility connections at the main front garage building needs trimmed.

A wasp nest was found adjacent to the inside of the door to access the rear storage area.

Conclusion:

Overall, Mr. Koteles has neglected taking care of the structural improvements included on the property. I saw significant deterioration due to a lack of proper maintenance.

These deficiencies and additional property condition information are recorded in the complete seventy page property report.

Inspector: Nathan Marcus, E.I.T

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Checklist



Commercial Property Building Inspection Checklist

nspector(s):	D	ate:		
merce		61	10	12020
ocation	YES	NO	N/A	COMMENTS
the property's address clearly visible from the roadway?	M			
the parking lot properly striped?		25		Grave 1,1
re there an appropriate number of handicapped spots in the parking t?				Grane 1) 1
re there designated spots for hybrids/compact cars?			X	
there proper lighting in the parking lot?		X		
re there cracks in the pavement that need to be repaired?	X	1		60016
e unloading zones clearly marked?		H		15 xmc 1, 00
e there wheelchair-accessible ramps leading up to the main trance?				
re there handrails leading up to the main entrance?		X		
re there any obstructions in front of fire hydrants?	Marie Control of Control			
there a trash dumpster on-site?	X			
re ash trays available near entrances? Or are no-smoking signs osted?				
e utility/cable boxes properly marked?		X		DK Cond
the property shovelled and/or plowed during the winter?			M	Summer on 85
uilding Exterior	YEŞ	NO	N/A	COMMENTS
e exit doors unlocked during business hours?				1 / 1.
e all entrances and exits properly marked?		×		MKnun
the company's name clearly visible?	72			
the building's roof in good shape?		1		
e windows and doors in need of a washing?	1			
	41 VI I	/		

This checklist is merely a guideline. It is neither meant to be exhaustive nor meant to be construed as legal advice. It does not address all potential compliance issues with federal, provincial or local standards. Consult your licenced commercial property and casualty representative at Schill Insurance Brokers Ltd or legal counsel to address possible compliance requirements. © 2006, 2012, 2014 Zywave, Inc. All rights reserved.

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Checklist

FUNCTION OK



Commercial Property Building Inspection Checklist

	_/	-		
Is the building free of vandalism?	1			
Are "No Smoking" signs posted?		A		7
Are emergency exits clearly marked and free of obstructions?		10		Money
Is there sufficient lighting on the building's exterior?		ব্র		Unknown if apportion
Is the rooftop elevator penthouse properly ventilated and cleaned regularly?			X	oniston i godin
Are there any cracks in the building's exterior walls?				
Are combustible materials kept away from the building?		Z		
Are there signs of weather damage?	12			
Is the parking structure properly maintained?		Q		
Are the gutters free of debris?				Uncortsius
Landscaping	YES	NO	N/A	COMMENTS
Does the landscaping interfere with any utility boxes?	Ø			Madrite hot a
Are there any dead trees on the property?	×			100010
Are there shade-providing trees on the property?		X		
Are there any areas with dead grass?	X			
ls an irrigation system in place?			×	
Are sprinklers placed far away from walkways?			X.	
Are planters properly mulched?			N	***************************************
ls grass mowed weekly?		M		
Are mowers/trimmers kept on-site in a locked storage building?				
Are insecticides regularly applied to plants?	3	V		
Are flower beds weeded regularly?		7	5	
ls grass fertilized regularly?		R		
Electrical Systems	YES	NO	N/A	COMMENTS
Are all electrical boxes, outlets and switches properly covered?		6	, 🗆	
Are electrical panels properly covered and latched?		DK.		
Are electrical panels free of obstructions?		B	,0	
Are extension cords used for temporary uses only?		×		
Do any extension cords run through walls, ceilings or doors?		V		
Do all electrical outlets have covers?		P		

This checklist is merely a guideline. It is neither meant to be exhaustive nor meant to be construed as legal advice. It does not address all potential compliance issues with federal, provincial or local standards. Consult your licenced commercial property and casualty representative at Schill Insurance Brokers Ltd or legal counsel to address possible compliance requirements. © 2006, 2012, 2014 Zywave, Inc. All rights reserved.

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Checklist

Commercial Property Building Inspection Checklist

	V			
Is equipment that requires higher voltage plugged into the proper outlets?	7	9		AND
Are there any frayed wires in the building?				
Do all outlets located within two metres of sinks and exterior doors include Ground-Fault Circuit Interrupters (GFCIs)?			R	Alve Ster
is there a lockout procedure in place?			K	
*				
Fire Protection	YES	NO	N/A	COMMENTS
Are there any combustibles stored in the boiler room?		A		
Are all smoke alarms functional?		শ্ৰ	Þ	None seen
Are smoke alarms tested regularly?			Ø	10-0
Is smoking prohibited in the building?		S.		
Does the building have a sprinkler system?		A		
Is the sprinkler system inspected annually?			K	/
Is all storage at least 45 cm below the sprinklers?			D	
Are portable fire extinguishers readily available?		DX		
Are fire extinguishers inspected regularly?		Q		
Are fire evacuation diagrams posted throughout the building?		D		* * * * * * * * * * * * * * * * * * * *
Are there "EXIT" signs posted above exterior doors?		O		
Are flammable and combustible liquids properly tagged and stored?		×		
If smoking is allowed, are smoking areas properly identified?		A		
Heating/Cooling System	YES	NO	N/A	COMMENTS
Is the boiler room kept locked?	ПП		'DK	
Are there any combustible objects kept near heaters?	M			5
Is the building's thermostat kept at a comfortable temperature?			B	
Are filters replaced regularly?			Z	
Are heating and cooling ducts free of obstructions?		Z		
Is the heating/cooling system set back when the building is unoccupied?		R		The second secon
Housekeeping	YES	No	N/A	COMMENTS
Is trash removed from the building daily? And from site weekly?	R			Tuesday
	1			1 12.11

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Checklist

Commercial Property Building Inspection Checklist

		/		
Are bathrooms cleaned daily?	B	0		
Are windows cleaned regularly?				
Does the company have a recycling policy?			Ya	/
Are refrigerators emptied and cleaned monthly?			A	
Storage Are all combustible and flammable liquids stored properly?	YES	NO DX	N/A	COMMENTS
Is there any combustible storage in unprotected attics or crawl spaces?			NO.	Did not g
Are cabinets and containers containing chemicals properly labelled?		X		
Are spill-containment materials readily available in case of a spill?	X			Cat littr
Are Safety Data Sheets (SDS) available for hazardous substances?		V		

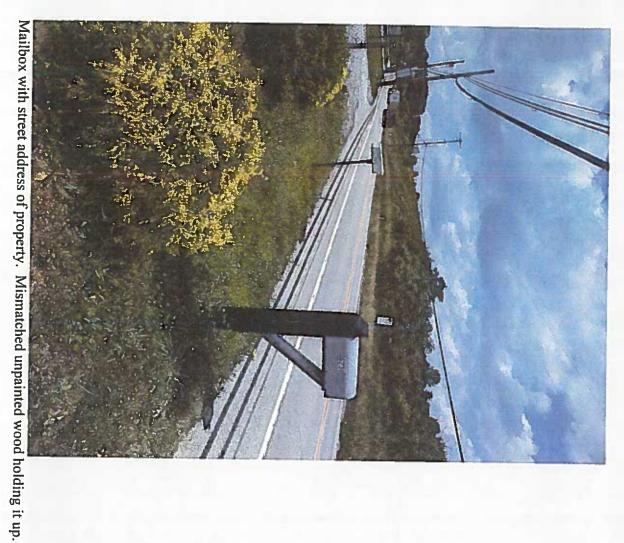
Photo Report of Koteles Garage

Site Inspection Date: 06/10/2020

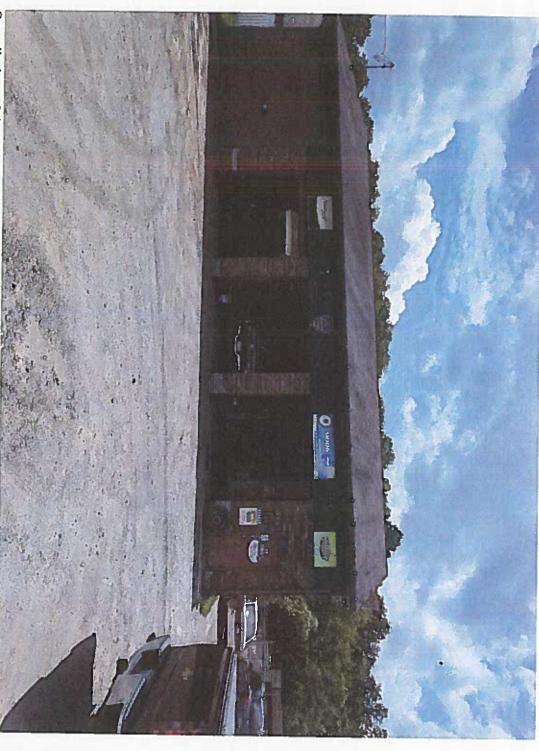
Inspector: Nathan Marcus, E.I.T

Prepared for: Levandosky v. Koteles Dispute



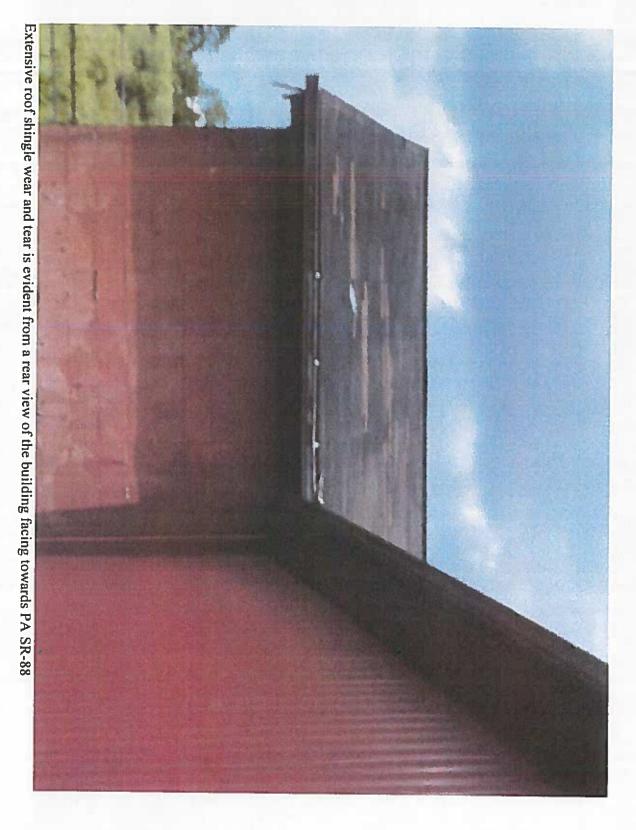


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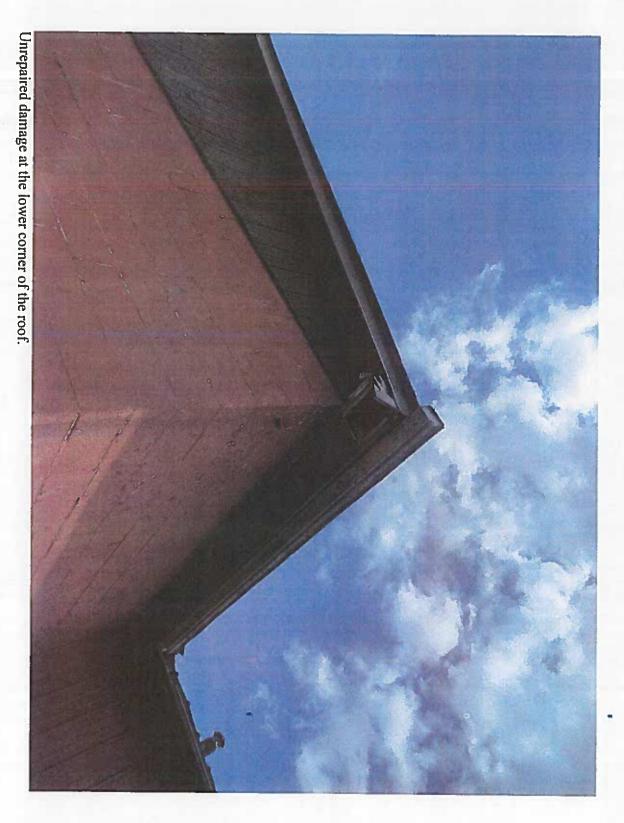


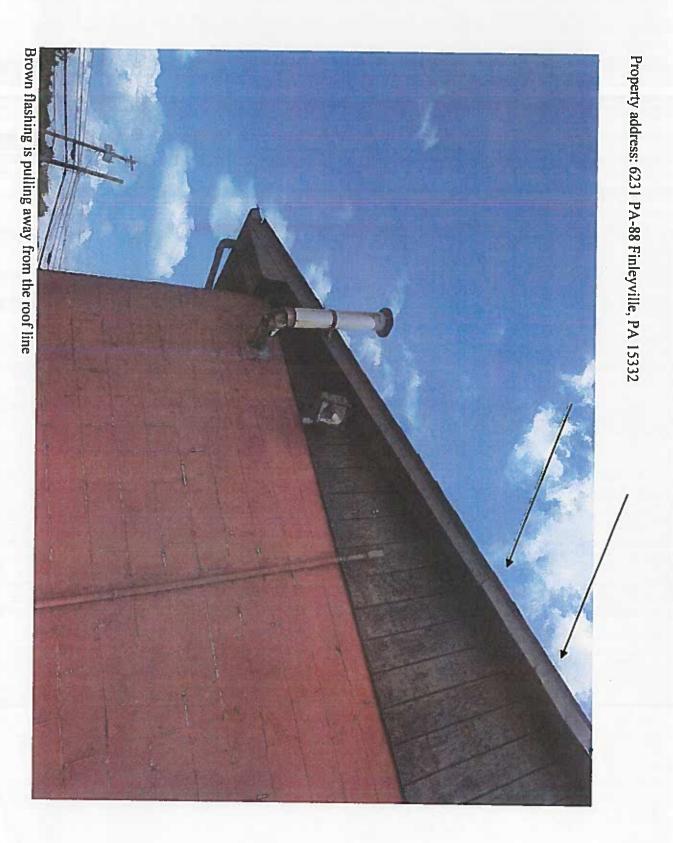
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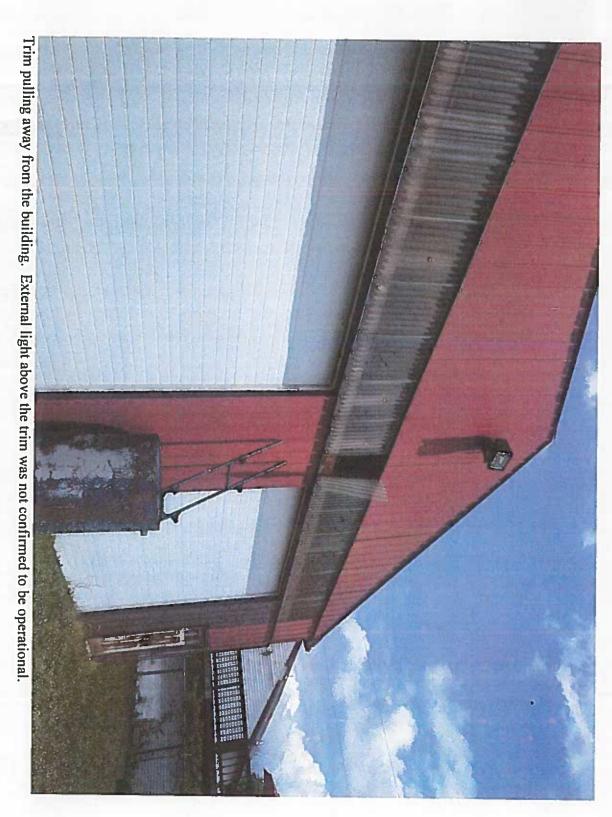


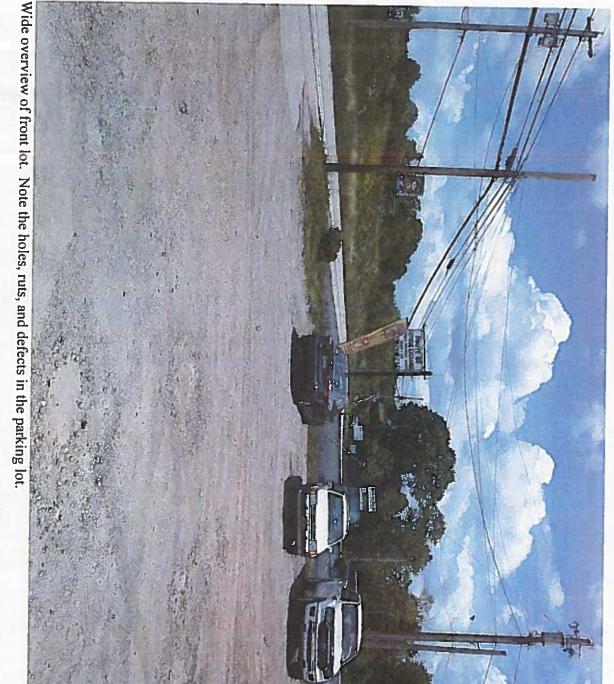
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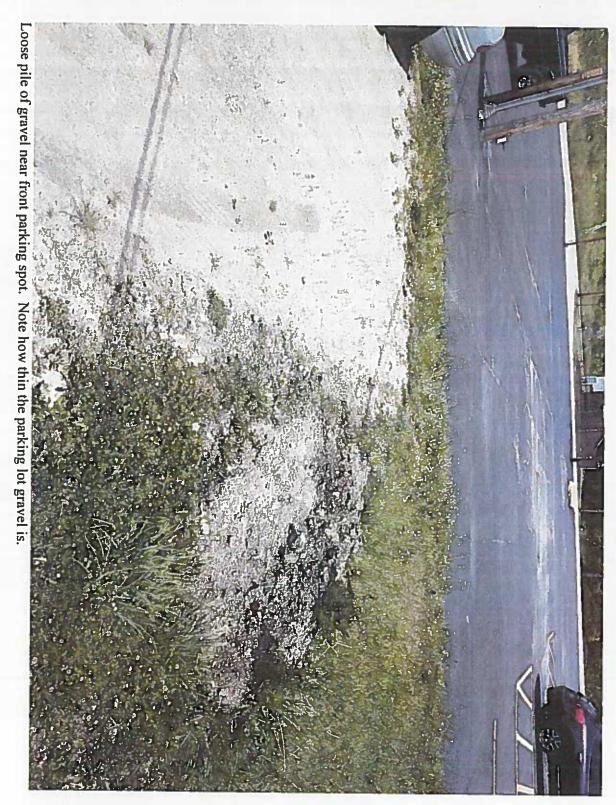








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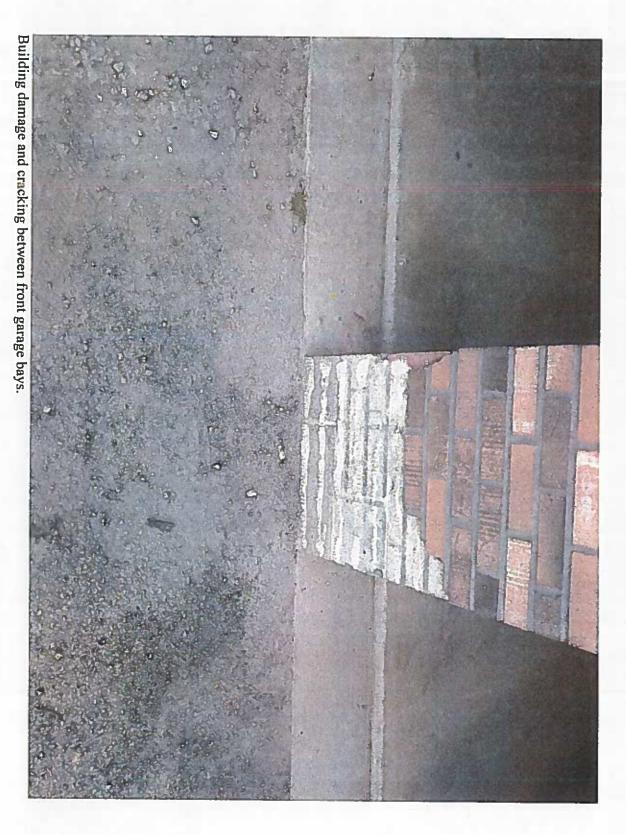
Property address: 6231 PA-88 Finleyville, PA 15332

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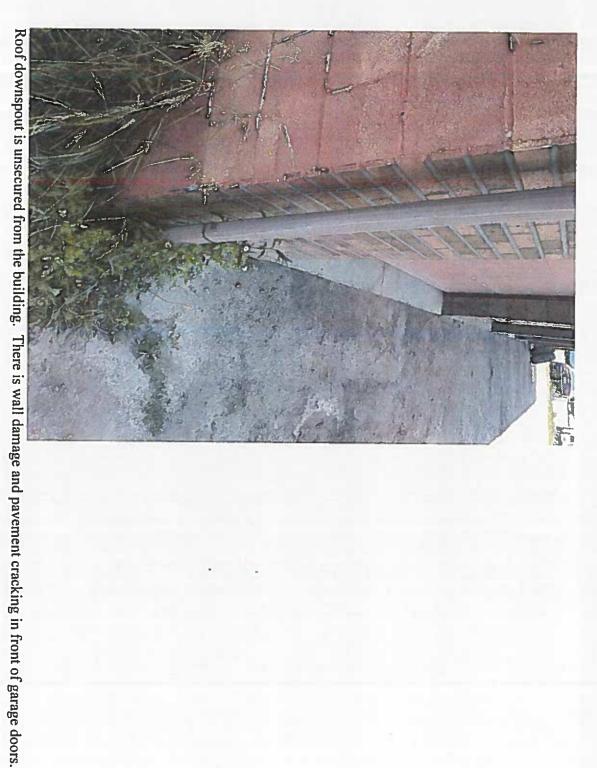


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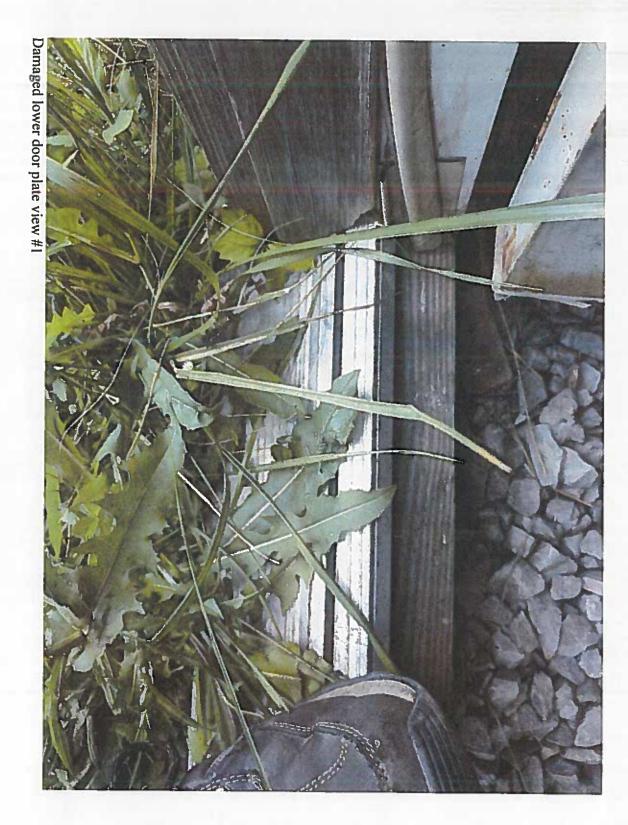
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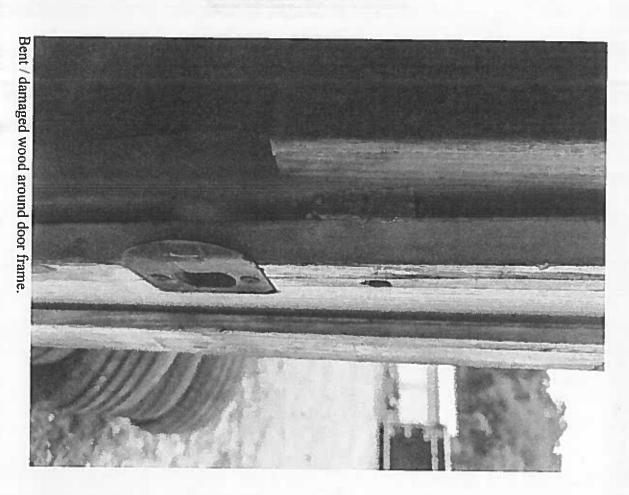




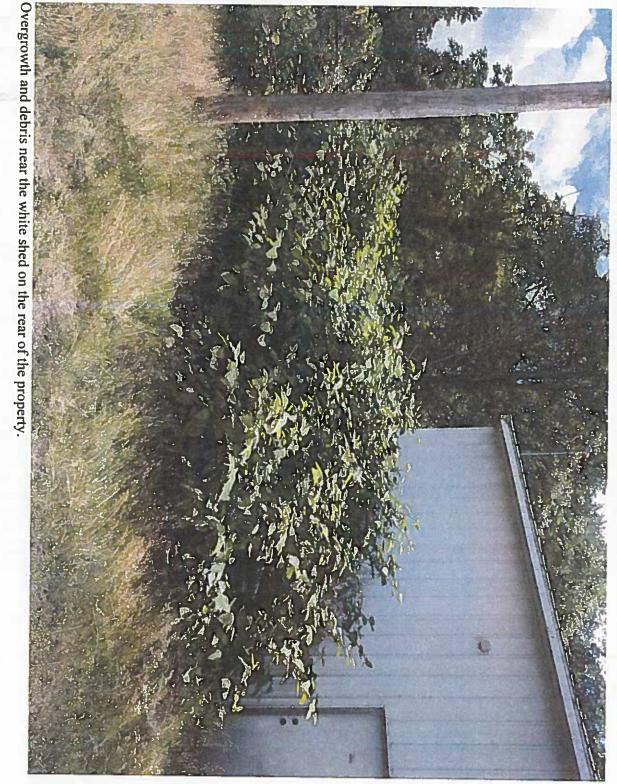




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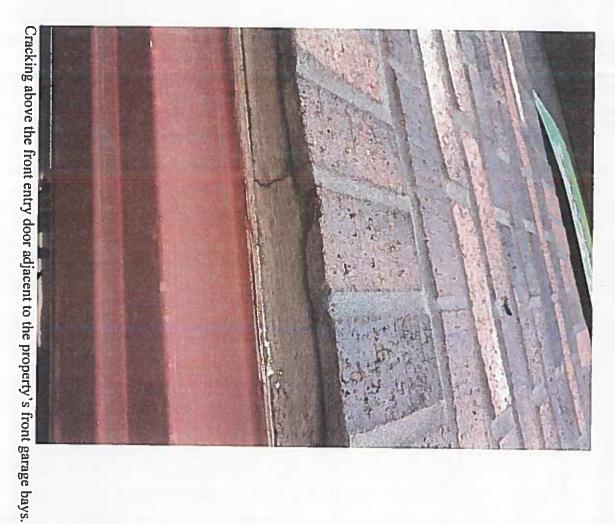


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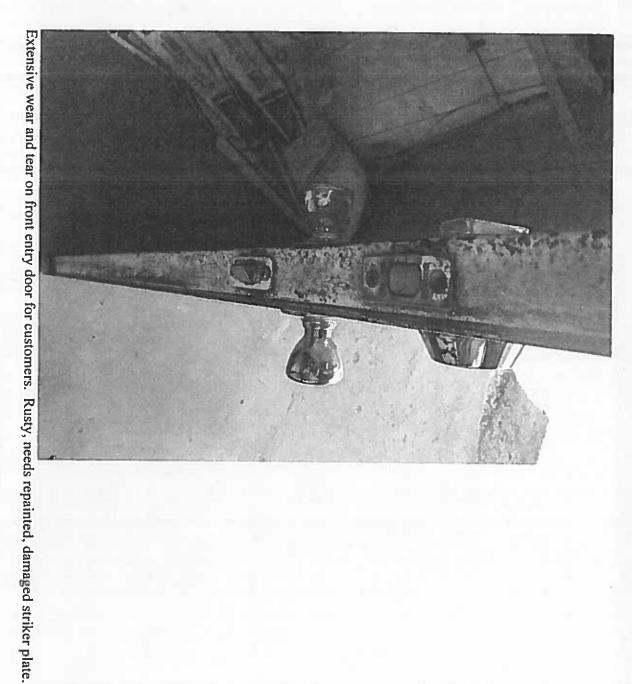
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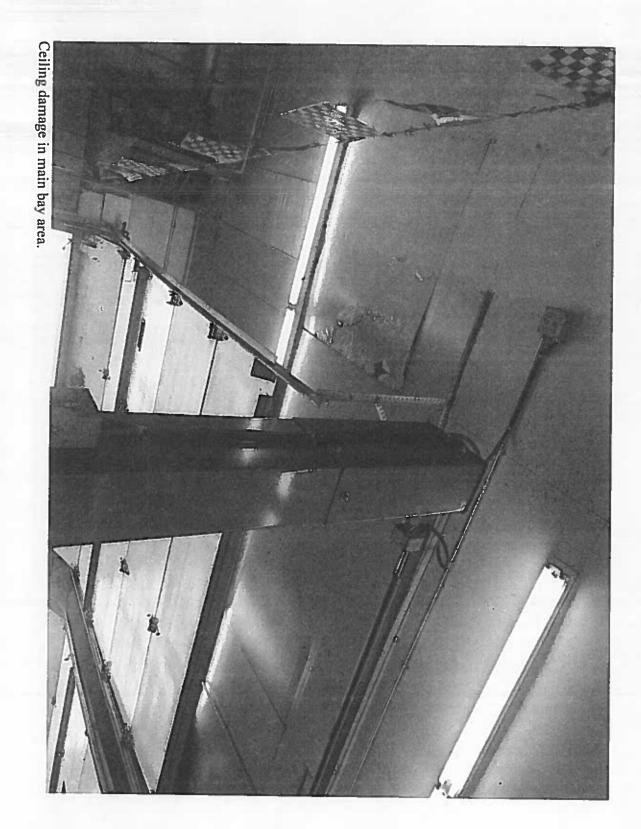


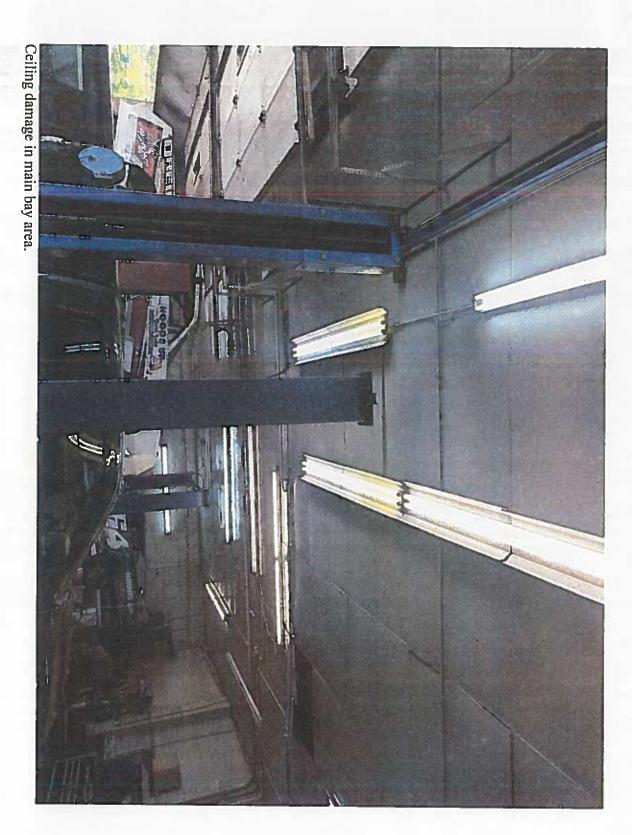
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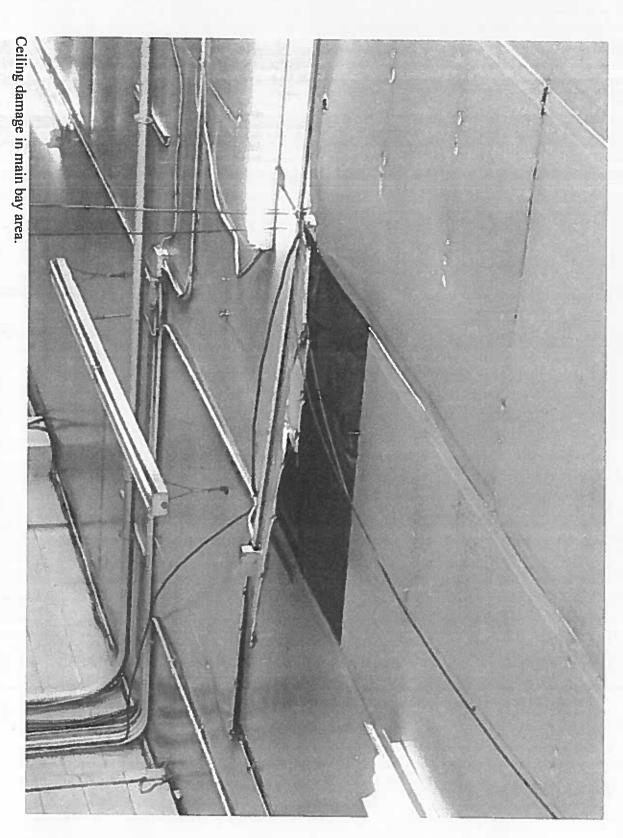


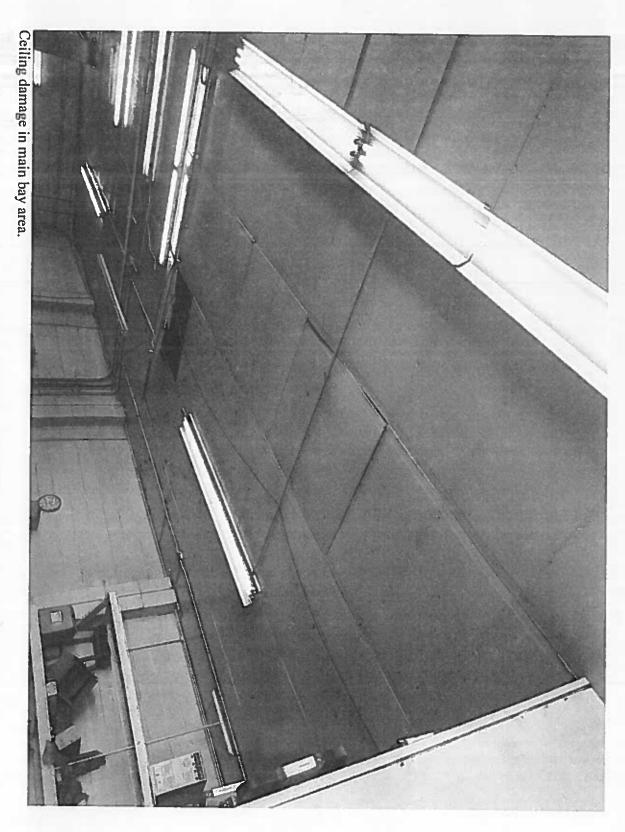
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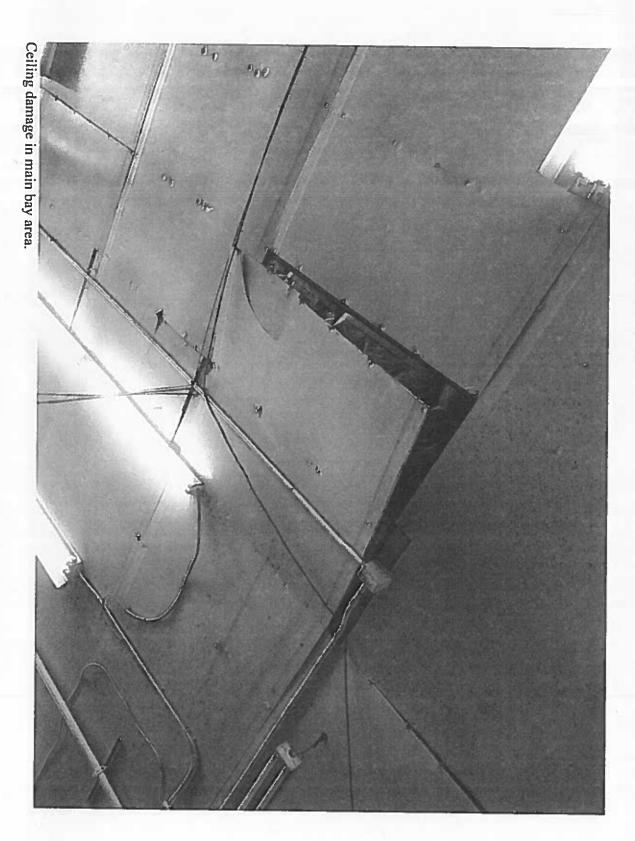


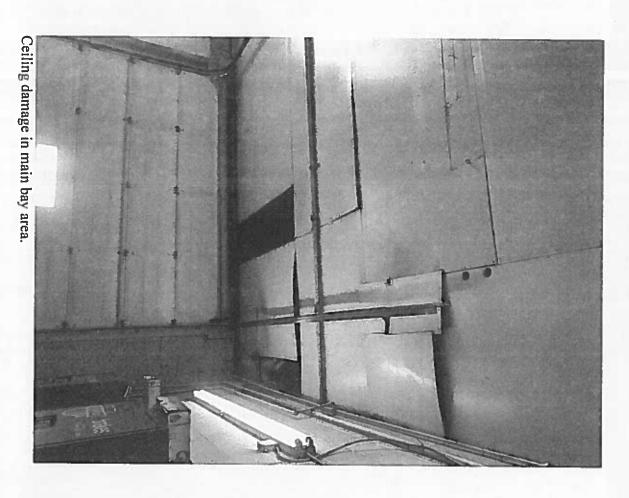






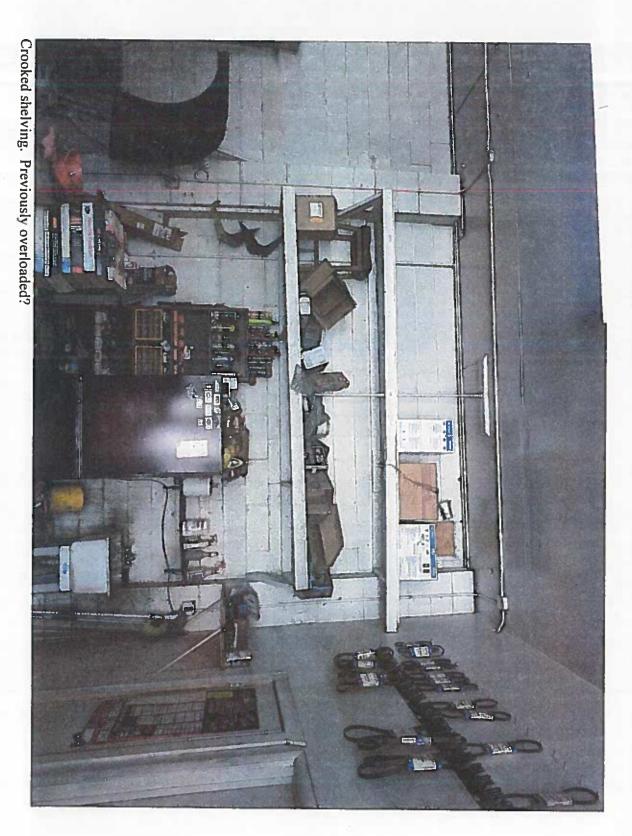


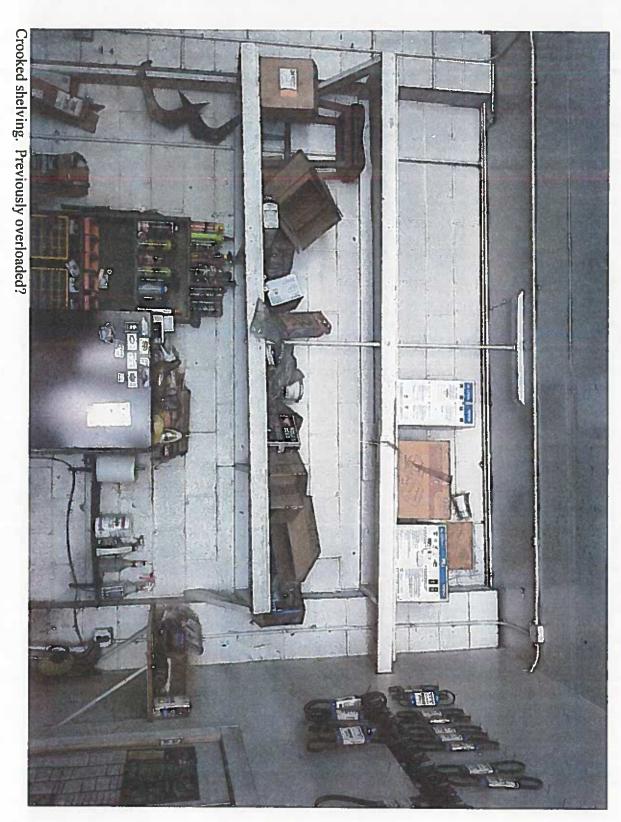


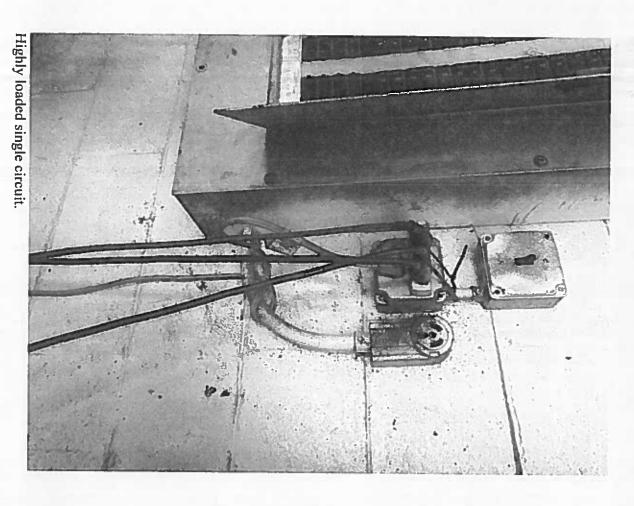


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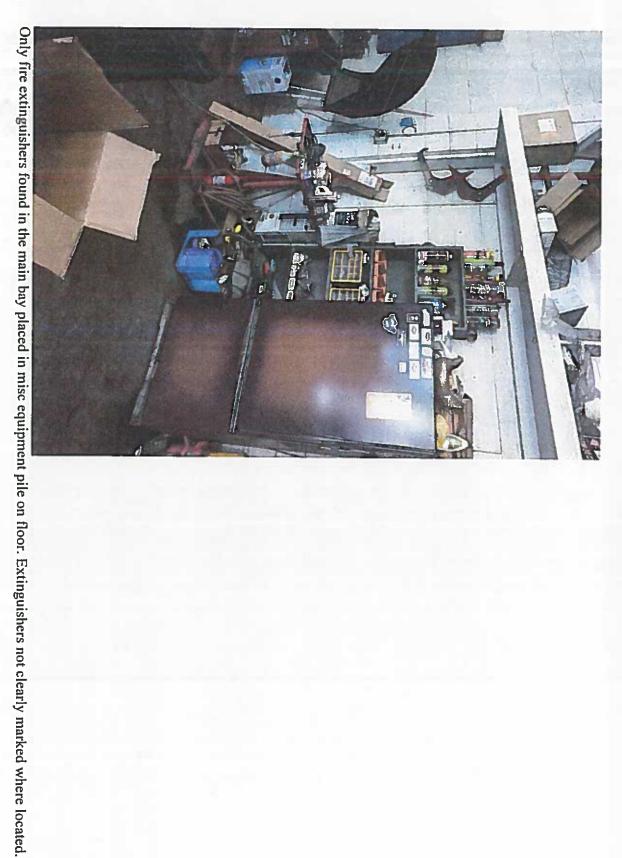


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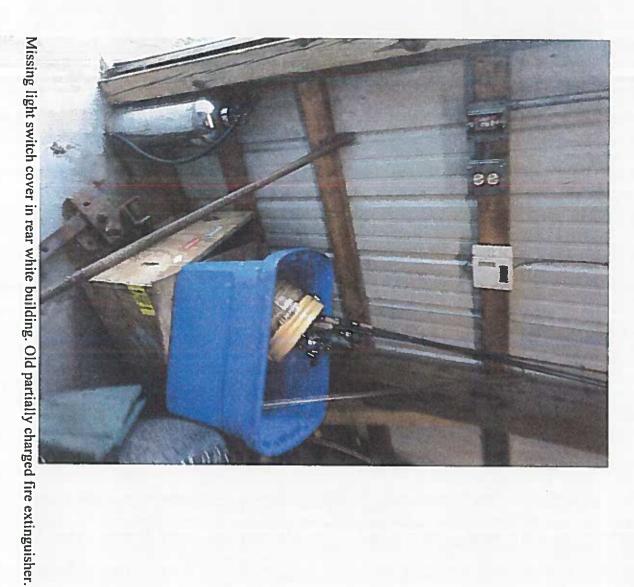


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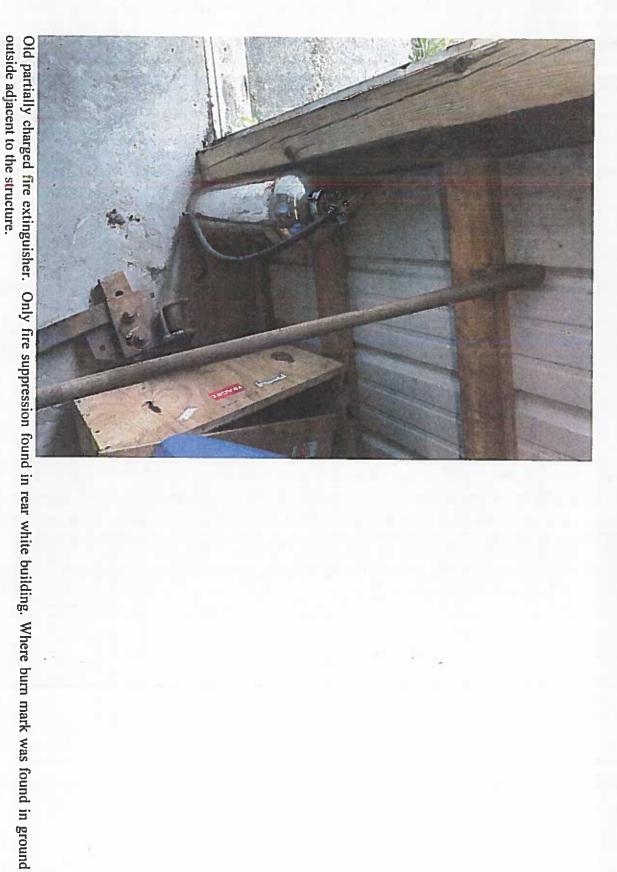




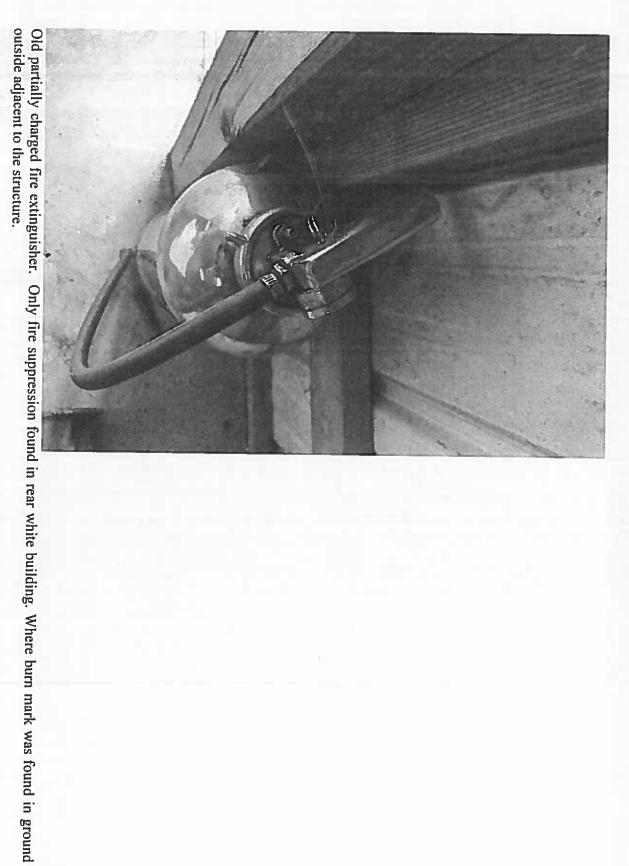
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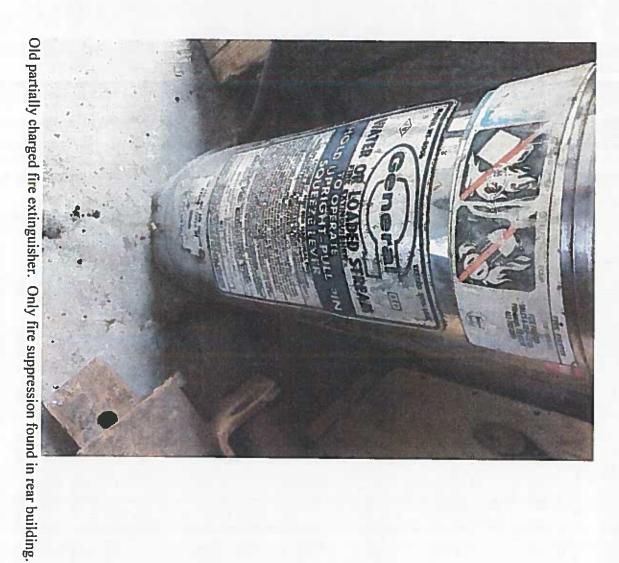


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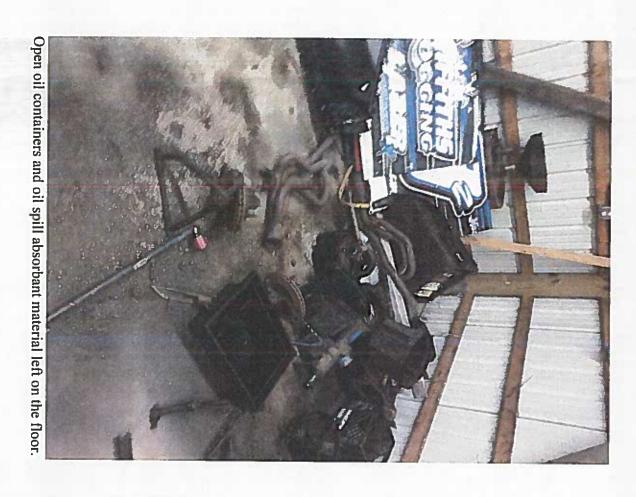
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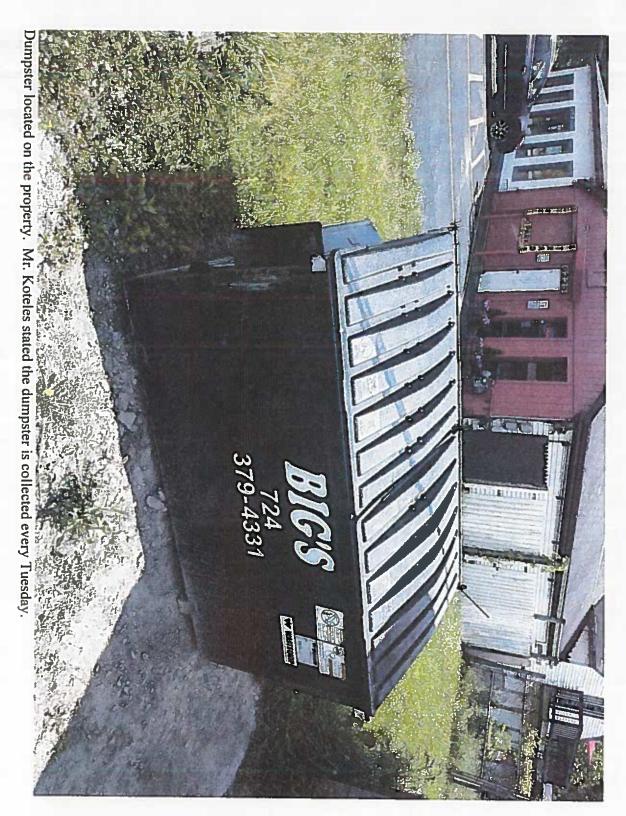


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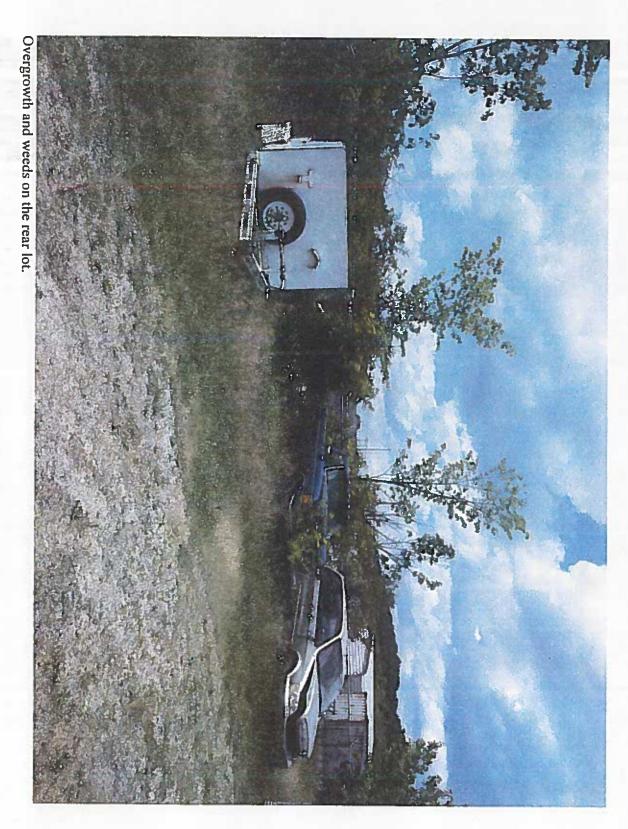


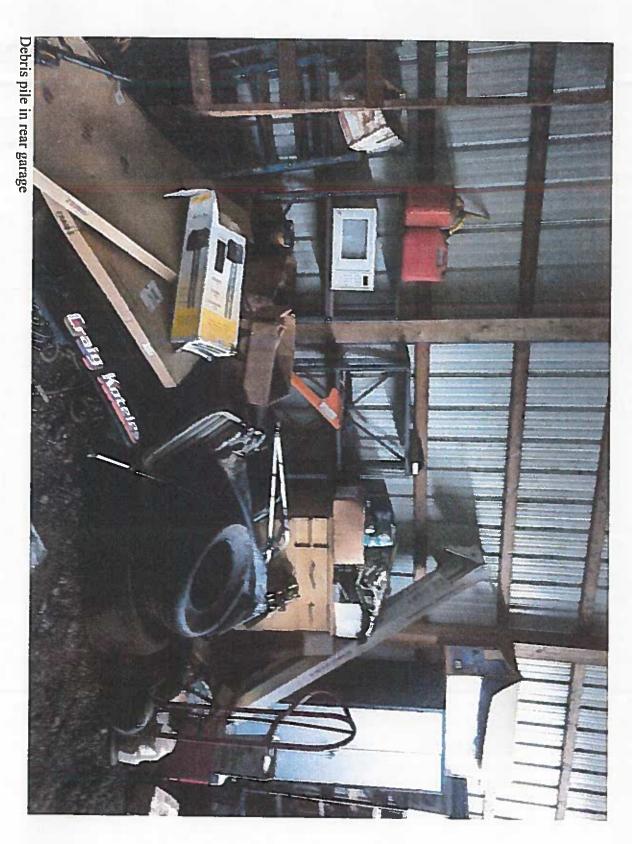


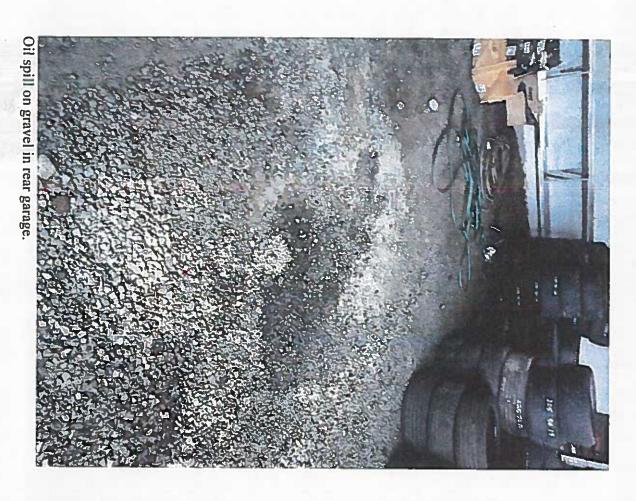


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